

**ORDINANCE NO. 2020-06**

**AN ORDINANCE OF THE ABBOTTSTOWN BOROUGH, ADAMS COUNTY, PENNSYLVANIA, ADOPTING THE 2018 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE, REGULATING AND GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES AND PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND FOR THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE, AND FOR THE DEMOLITION OF SUCH EXISTING STRUCTURES IN THE ABBOTTSTOWN BOROUGH; AND FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; REPEALING ALL ORDINANCES OR PARTS OF LAWS IN CONFLICT THEREWITH.**

**BE IT ENACTED AND ORDAINED** by the Council of the Abbottstown Borough, Adams County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

**SECTION 1:** A certain document, three (3) copies of which are on file in the office of the Abbottstown Borough, being marked and designated as the International Property Maintenance Code, 2018 edition, as published by the International Code Council (the “Code”), be and is hereby adopted as the Property Maintenance Code of Abbottstown Borough, Pennsylvania for regulating and governing the conditions and maintenance of all property, buildings and structures and providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and for the condemnation of buildings and structures unfit for human occupancy and use, and for the demolition of such existing structures as herein provided; and for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the Abbottstown Borough are hereby referred to, adopted and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, prescribed in Section 2 of this Ordinance.

**SECTION 2:** The following sections are hereby revised (those sections or portions thereof not revised hereby shall remain as originally stated in the Code.)

A. **Section 101.1 Title.** These regulations shall be known as the International Property Maintenance Code of Abbottstown Borough hereinafter referred to as “this Code”.

B. **Section 103.5 Fees.** The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as set forth in a resolution adopted by the Borough Council, with such fees to be modified from time to time by a resolution of the Borough Council.

C. **Section 106.3 Prosecution of violation.** Substitute for first sentence: Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a summary offense and prosecution for every such offense shall be according to

the practice in the case of summary convictions. Any such violation shall be deemed a strict liability offense.

D. **Section 106.4 Violation penalties.** Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall, upon conviction, be liable to pay a fine not to exceed \$1,000.00 plus court costs, or, in default thereof, to be sentenced and committed to the county jail for a period not exceeding 30 days. Any such person shall also be subject to all penalties as set forth in the Borough Code (8 Pa. C.S.A. Sections 101-3501) or as otherwise provided by law. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

E. **Section 112.4 Failure to comply.** Any person who shall continue any work after having been served with a stop-work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall, upon conviction, be liable to pay a fine not to exceed \$1,000.00, plus court costs, or, in default thereof, to be sentenced and committed to the county jail for a period not exceeding 30 days.

F. **Section 302.4 Weeds.** Insert: six inches.

G. **Section 304.14 Insect screens.** Insert: from April 1 to November 30.

H. **Section 602.3 Heat supply.** Insert: from October 1 to April 30.

I. **Section 602.4 Occupiable workspaces.** Insert: October 1 to April 30.

**SECTION 3:** All other Ordinances or parts of laws in conflict herewith are hereby repealed to the extent of the conflict.

**SECTION 4:** If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Abbottstown Borough hereby declares that it would have passed this Ordinance, and each section, subsection, clause, or phrase thereof, irrespective of that fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**SECTION 5:** Nothing in this legislation or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this Ordinance.

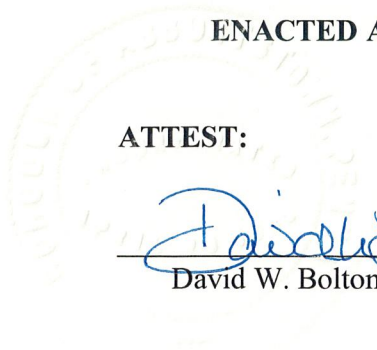
**SECTION 6:** The Code of Ordinances of the Abbottstown Borough, Adams County, Pennsylvania, as amended, shall be and remain unchanged and in full force and effect except as amended, supplemented, and modified by this Ordinance. This Ordinance shall become a part of code of the Abbottstown Borough, Adams County, Pennsylvania, as amended, upon enactment.

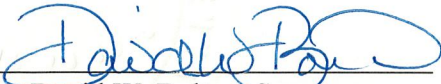
**SECTION 7:** This Ordinance shall take effect and be in full force and effect in accordance with Section 3301.3 (b) of the Borough Code.

**ENACTED AND ORDAINED** this 19<sup>th</sup> Day of November 2020.

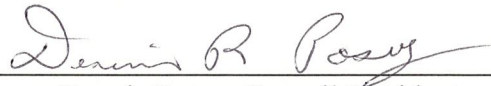
**ATTEST:**

**ABBOTTSTOWN BOROUGH**





David W. Bolton, Secretary

By:   
Dennis Posey, Council President

**APPROVED** this 19<sup>th</sup> Day of November 2020.



Duane Watson, Mayor

# CERTIFICATION

I hereby certify that I am the Secretary for Abbottstown Borough, Adams County, Pennsylvania, and that Ordinance No. 2020-06 was advertised in The Gettysburg Times on November 11, 2020, a newspaper of general circulation in the municipality, was available at the Borough Office and online at the Borough website during this same period, was duly enacted and approved as set forth at the regular meeting of the Abbottstown Borough Council held on November 19, 2020 and that this is a true and correct copy of that Ordinance.



  
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David W. Bolton, MBA, CBO

  
\_\_\_\_\_  
Date